

REMARKS

Claims 1, 3-9 and 12-20 remain presented for active reconsideration. Claims 2 and 10-11 have been previously cancelled.

Claims 1 and 9 have been objected to by the Examiner apparently for use of the word "as". Applicants believe this word to be accurate. However, in view of the objection the language has been changed to "as being" for clarity. In the context of the claims, the second server uses the area code to determine the source of the transferred call "as being" the first server. Thus, this allows the second server to know which other server to request the "call associated data" from.

As amended, claims 1 and 9 are believed to be clear and definite, and withdrawal of the objection is respectfully requested.

The amendments introduced herein are believed proper under 37 C.F.R. § 1.116 as they do not introduce any new features which would require a further search and are believed to put the claims in condition for allowance or in better form for appeal. As such, entry of the amendment is respectfully solicited.

Withdrawal of the previous rejections based on U.S. Patent 6,229,888 to Miloslavsky both alone and in view of the article to Brady ("Virtual Help Desks Enhance Call Center Services", October 1998) is noted with appreciation.

New Grounds of Rejection:

Currently all claims stand rejected under 35 U.S.C. 103(a) as being unpatentable over Miloslavsky (previously of record) in view of newly cited U.S. Patent 5,335,268 to Kelly, Jr. et al (Kelly).

Similarly, claims 6 and 13 stand rejected under the combination of Miloslavsky and the article to Brady (both of record), further in view of the newly cited reference to Kelly.

This new ground of rejection is respectfully traversed.

Briefly, the present invention addresses the problem of transferring call associated data (such as customer reference numbers, customer ordering history, credit information, etc.) among multiple telecommunication switches. As explained in the background section, when a call is received by a call center, the caller's (i.e. customer's) call associated data is retrieved by a first server based on, for example, the caller's Automatic Identification Number (AIN). This information may then be presented on an agent's screen during the call. Unfortunately, if the call was transferred to another service center, for example using a different PBX switch, the call associated data did not follow. Thus that agent would not have benefit of this information as he spoke to the customer.

According to embodiments of the invention a telecommunication system and includes a first type of telecommunication switch and a first server coupled to the telecommunication switch. The system further includes a second type of telecommunication switch and a second server coupled to the second type of telecommunication switch. A data network link 31 coupled between the first server and the second server allows call-associated data to be transferred between servers when a telephone call is transferred from the first type of telecommunication switch to second type of telecommunication switch.

Further, as recited in the claims, and as shown in Figure 2, the second server 22 has to request the "call associated data" from transferring server. According to embodiments, the second server uses the area code information from the transferred call

to determine which other server to request the data from (in this case server 20) over a link 31.

In the final Office Action on page 4, the Examiner acknowledges that:

Miloslavsky does not teach or suggest “the first server to retrieve call-associated data comprising details of a customer account”. Nor does it teach “said second server to determine a source of the transferred call as the first server by an area code prefix”. Nor does it teach “the second server to request call associated data from the first server”. Nor does it teach “retrieving call associated data based on AIN of the telephone call by a first server connected to the first server type of telephone switch and “[a second type of telephone switch] having a second server connected thereto.

The Examiner has in essence acknowledged that Miloslavsky does not teach most of the features recited in the independent claims. Yet incredibly he maintains the rejection under Section 103 as being *prima facie* obvious further in view of Kelly.

In particular, the Examiner cites to broad portions of Kelly for teaching the features acknowledged as lacking in Miloslavsky. In particular, the Examiner appears to be relying on Kelly for teaching determining the geographic location of a calling party by an area code.

However, Kelly is not related to applicants claimed invention. Indeed, Kelly is directed to a system for distributing or routing “special service numbers” (e.g. 800 and 900 numbers) to various call centers as a function of supply and demand. Column 4, line 26 appears to address the use of area codes, but it is clear that it uses the area code so that a data collector that collects call statistics can determine a “demand” from a given geographic area. This is unrelated to Applicant’s claimed invention and does not cure any of that that which is lacking in Miloslavsky.

Independent claim 1 recites:

“...a second server coupled to said second type of telecommunication switch, said second server to determine a source of the transferred call as being the first server by an area code prefix; and

a data network link coupled between said first server and said second server, the second server to request the call associated data from the first server” (emphasis added).

Similarly, independent claim 9 recites:

transferring the telephone call to a second type of telephone switch having a second server connected thereto;

said second server determining a source of the transferred telephone call as being the first server by an area code prefix;

requesting the call-associated data from a first server coupled to said first type of telephone switch, the call-associated data comprising details of a customer account” (emphasis added).

Finally, independent claim 17 recites:

transferring the telephone call to a second type of telephone switch;

determining a source of the telephone call at a second server coupled to said second type of telephone switch via an area code prefix” (emphasis added).

Here, neither Miloslavsky nor the combination with Kelly teach or suggest having the second server, to which the call was transferred and using an area code prefix to determine the source of the call in order to know from where to request the customer information.

It is therefore respectfully submitted that the rejections to the claims are improper under Section 103 as Miloslavsky and Kelly do not set forth a case of *prima facie*.

With regard to claims 6 and 13, these are dependent claims. The rejection of these

claims based on Miloslavsky and Brady has been previously addressed. For the reasons stated above the teachings of Kelly, do not cure the defects in Miloslavsky and Brady even if combined.

In view of the foregoing, it is respectfully requested that the application be reconsidered, that claims 1 and 3-9 and 12-20 be allowed and that the application be passed to issue.

Application No. 09/960,474
Amendment dated December 6, 2004
Response to Final Office Action of September 10, 2004

Atty. Docket No. 42390.P12541
Examiner: Marie C. Ubiles
TC/A.U. 2642

Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Should the examiner find the application to be other than in condition for allowance, the examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic interview.

Respectfully submitted,

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